

Appl. No. 10/808,630

Amdt. Dated December 15, 2006

Reply to Office Action of September 18, 2006

REMARKS

This is a full and timely response to the Office action mailed September 18, 2006. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 1-7, 9, 12-61 are now pending in this application, with Claims 1, 24, 47, 48, 49, 60, and 61 being the independent claims. Claims 1, 3-6, 9, 12, 24, 26-29, 33-35, 47, 48, 49, 59, and 60 have been amended, Claims 8, 10, and 11 have been canceled, and Claim 61 is newly presented herein. No new matter is believed to have been added.

Claim Objections

Claim 59 was objected to because it is a method claim that depends from an apparatus claim. Applicants have amended dependent Claim 59 to more appropriately depend from method Claim 49.

Rejections Under 35 U.S.C. § 102

Claims 1-6, 8-10, 12-14, 17, 24-29, 31-33, 26-38, 40, 47, 49-53, and 55-57 were rejected under 35 U.S.C. § 102 as allegedly being anticipated by U.S. Patent Application Publication No. 2003/0063585 (Younis et al.). This rejection is respectfully traversed.

Independent Claim 1 has been amended herein to include features recited in as-filed dependent Claim 11, which was indicated as being directed to allowable subject matter.

As regards independent Claims 24 and 47, these claims have been amended to more clearly recite that the controller is coupled to the sensor, receives the sensor data from the sensor, and is operable to transmit the sensor data, and that the transceiver is configured to receive the sensor data from the controller. In addition, independent Claim 49 has been amended to more clearly recite that the power capability of at least a portion of the other nodes in the sensor network is determined within each node.

Younis et al. relates to an ad-hoc sensor network, and does disclose power capability determination. However, Younis et al. explicitly discloses that it is the gateway nodes (15, 25, 35) within each cluster of nodes that sets routes for sensor data,

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monitors latency throughout the network, arbitrates access among the sensors, and tracks energy usage at every sensor and changes in mission and the environment (paragraph [0034]). Moreover, these gateway modules do not include sensors, and thus do not include controllers that receive sensor data from the sensor and transmit the received sensor data to a transceiver for RF modulation and transmission thereby. In contrast, each sensor module (e.g., each node) of the instant invention determines power capability, sensor data routes, latency, etc. The sensor modules also include a sensor that supplies sensor data to a controller, which transmits the sensor data to a transceiver, which in turn RF modulates the sensor data. These features are not even remotely disclosed or suggested in Younis et al.

In view of the foregoing, reconsideration and withdrawal of the § 102 rejections is solicited.

Rejections Under 35 U.S.C. § 103

Claims 7, 15, 20, 21, 23, 30, 28, 43, 44, 46, 48, 54, and 60 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Younis et al.; Claims 18, 19, 41, and 42 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Younis et al. and U.S. Patent No. 6,950,767 (Yamashita et al.); and Claims 22 and 45 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Younis et al. and U.S. Patent No. 7,071,029 (Ghyselen et al.). These rejections are respectfully traversed.

As noted above, Younis et al. fails to disclose, or even remotely suggest, various features now recited in independent Claims 24 and 47. As such, the rejections of Claims 30, 28, 43, 44, 46, and 54 over Younis et al. are now mooted. As regards independent Claim 60, this claim now recites that the power capability of each of the wireless sensors is determined within each of the wireless sensors. As noted above, this is wholly disparate from the teachings of Younis et al. Therefore, the rejection of this claim under 35 U.S.C. § 103 cannot stand.

The other applied references, namely Yamashita et al. and Ghyselen et al., have each been studied, and are not understood to make up for the deficiencies of Younis et al. with respect to each of independent Claims 24, 47, 48, 49, and 60.

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In view of the foregoing, reconsideration and withdrawal of the § 103 rejections is respectfully requested.

New Claim:

Independent Claim 61 is newly presented herein, and recites features commensurate in scope with as-filed dependent Claim 16. Because dependent Claim 16 was indicated as being directed to allowable subject matter, this newly presented claim is also believed allowable.

Conclusion

Based on the above, independent Claims 1, 24, 47, 48, 49, 60, and 61 are patentable over the citations of record. The dependent claims are also deemed patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

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If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

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